

**Minutes of the Executive Committee**  
**September 18, 2008**

Chair Dwyer called the Executive Committee meeting to order at 8:32 a.m. and led the committees in the Pledge of Allegiance.

**Executive Committee Members Present:**

Jim Dwyer  
Pat Haukohl  
Duane Paulson

Dave Swan  
Tom Schellinger  
Bonnie Morris

**Absent:**

Fritz Ruf

**Also Present:**

Chief of Staff Mark Mader  
Legislative Policy Advisor Dave Krahn  
Director of HHS Peter Schuler  
Senior Financial Analyst Bill Duckwitz  
UW-Extension Director Marcia Jante  
Long Term Care Division Manager Jack Bodien  
Deputy Inspector Eric Severson  
Business Manager Tom Koth

Parks System Manager Duane Grimm  
Director of Administration Norm Cummings  
Director of Parks and Land Use Dale Shaver  
Business Manager Peter Mudek  
Senior Financial Analyst Clara Daniels  
Administrative Services Manager Russ Kutz  
Jail Administrator Mike Giese

**Review, Discuss and Consider 2009 – 2013 Capital Projects Plan Relative to Parks and Land Use Department Projects (Items 38 – 45)**

Item 38 Orthophotography – Shaver said this project is done every five years by SEWRPC. The DTM for flood plain analysis will be done again, which allows people in the industry to buy maps from the county. The change in revenue for this project is due to a funding shift. There is concern the retained fees are not accumulating as hoped so capital project fund balance may be supplemented. The capital project fund balance may not be needed if costs remain low. There is \$1 million left in fund balance.

Dwyer said there are different levels of orthophotography. Shaver said the county pays for the higher pixel resolution to get a better image. Aerial photography means taking pictures while orthophotography is digitally rectified photography that is matched to coordinates and monuments in the county. The images produced from orthophotography from high flights shows changes that are happening to the earth. The previous orthophotographs are on the GIS system.

Item 39 – Menomonee Park Maintenance Building – Shaver said this project will replace the 1950s maintenance building with a facility similar to what was built at other county parks. The project scope and price does not include the demolition of the old building. Because of the possibility of asbestos, demolition has to be scoped and designed separately. The county also needed to get the proper documentation from the U.S. Army saying the buildings can be destroyed. (The county currently has the documentation.) The project is as planned with no changes.

Swan said there are people who feel the cost of this building is too high. Shaver said they have received questions from supervisors in the past regarding the high price of maintenance buildings. He has presented detailed cost analysis to the Land Use and Finance Committees. Because we are government, there are practices we have to do that regular builders do not such as paying prevailing wage rates, performance, labor and bonding pay, etc. There are many factors out of our control that inflate the per square foot cost 20 to 30%. If the government factors were eliminated the prices would be lower.

Paulson asked is there a need for this building. Shaver said it is a 1950s building with asbestos. The building has run its course.

Item 40 Exposition Center Arena Roof – Shaver said there is no change to this project which involves the assessment, design and repair/renovation of the existing domed and low-sloped roof areas of the Expo Center. A condition analysis performed in March 2007 identified deficiencies, and due to previous instances of roof failure, concluded the dome was at the end of its service life. It also indicated the low-sloped entrance roofs had approximately three years of service life. Because of the large estimate, \$25K was budgeted in 2009 for a second opinion. During 2010, the reports will be compared and the construction figure adjusted as necessary.

Item 41 Fox Brook Park Reserved Picnic Shelter 2 – Shaver said this project has been deleted. None of the plans the department looked at for locating this shelter worked. Locating the shelter at the front or back of the park led to difficulties getting people to the shelters, parking shortages, long walks to the beach, etc. This shelter does not seem to fit. The current picnic shelter is used significantly. Staff has been successfully cross marketing the shelter at Fox River Park for events.

Paulson said the board has history with this project. Shaver said the fact that this project was reconsidered by the board in the past weighed heavily in his decision. The staff knew he was not taking it lightly. Paulson said there needs to be an explanation of what happened with this project in the past because it makes a better argument for other parks projects. The project sheets are “living” documents that are altered as necessary. Shaver said this project was thoroughly debated by the board. He does not want to perpetuate a bad site decision just because the project has been approved.

Haukohl asked does the county have enough of the right kind of facilities? Grimm said Fox Brook is rented 84% of the time during peak summer months. The staff does a good job redirecting people to Fox River Park but some people do not want to drive to that part of the county. There is a better opportunity to build a picnic shelter in other parks. A picnic shelter and parking lot at Fox Brook Park will require a lot of space. Dwyer said building another shelter at Fox Brook Park could reduce the effectiveness of the park. Shaver said the county owns the land around the park but it is wetlands. Before deciding where to locate a new picnic shelter, staff would do a comprehensive study of where the shelters should be located to make smart use decisions. Based on demand these are the preferred type of facilities.

Item 42 Pavement Management Plan – Shaver said there is a funding update for this project from the previous plan. All paving including curbing is rolled into this project.

Dwyer asked does the rising cost of materials change how the county does business? Shaver said in the past a consultant was hired to evaluate pavement and provide a schedule of future events. In the past we have elevated our activity when the price of asphalt dropped. The cost of materials has gone up but the cost of labor is lower due to the market demand for labor being high.

Item 43 Bikeway Pavement Improvements – Shaver said there has been a change of scope and fiscal update for this project. The New Berlin Trail came in significantly under budget because the foundation was in better condition than anticipated and site prep work was not required. Because we have had difficulty getting federal CMAQ money which is an 80/20 split, we are shifting to Stewardship money which is a 50/50 split for some project costs. There are also proposed changes to the 2010 Lake Country trail which would increase project costs. If grants are received, the Lake Country Trail would be done in 2010 and the Bugline trail would be paved in 2011.

Haukohl asked when will we connect from the Brookfield trail? Shaver said the Fox River Trail that connects into the City of Waukesha has railroad right-of-way that goes north and into the City of Brookfield trails. We are working on an acquisition of the last piece of the trail and hope to acquire the rest of the land this year. Next a trail project would be put together to survey residents of the corridor because some people have been using the abandoned right-of-way for landscaping and some do not want

a bike trail in their backyard. Grimm said it cannot be put into the capital plan until all the land is secured.

Item 44 Retzer Nature Center Maintenance Building – Shaver said there has been a slight change in scope and a fiscal update. Staff is working with WE Energies to look at alternative sustainability initiatives for the building. Some of the ideas include using solar power to meet the hot water needs and geo thermal system to heat/cool the building. We are eligible for grants due to our work with WE Energies and there would be a credit on the energy bill because we would sell energy back to the grid. Thirteen years is a long time to payback this project but it is a good site.

Item 45 Restroom Renovation – Shaver said this project has had a slight scope change to allow us to investigate alternatives that will not affect the cost of the building such as low flow and geo thermal technologies. Geo thermal technologies could reduce heating costs for those restrooms that are open year-round. The department has investigated several strategies to reduce odors in pit toilets so they can continue to be used such as pumping more frequently, scents, extended chimneys, renting Port-a-Johns, etc.

Paulson commented that incinerator bathrooms work well but the public would have to be educated in how to use them. Shaver said we have to look at what type of parks systems we are. We are moving to a system that is more urbanized.

Haukohl asked how many stalls per restroom unit. Grimm said there will be separate areas for men and women. The men's side will have one toilet and one urinal while the women's will have two stalls. Shaver showed the committee a diagram of the restroom layout. He said staff has researched prefabricated bathroom units made from green materials. They are trying to price the difference between prefabricated and framed buildings. Grimm said the prefabricated units are often used in federal parks.

Paulson asked if the systems will be mound or septic? Shaver said each site is different. Onsite systems are less expensive. The well is the deciding factor.

Morris asked if the facilities are handicapped accessible. Shaver said yes. Morris asked if the county has sought any grants through CDBG because the bathrooms will meet ADA requirements. Shaver said the department will look into that option.

### **Discuss 2009-2013 Capital Projects to be Agendized for Further Discussion and Consideration at the October 6, 2008 Executive Committee Meeting**

The committee requested the following capital projects be placed on the October 6<sup>th</sup> Executive Committee agenda:

- |  |  |
|--|--|
| Item 1: Courthouse Lobby Modifications | Item 2: Courts Project Secured Corridor                      |
| Item 3: Courthouse Future Study        | Item 6: Health and Human Services Building                   |
| Item 21: CTH TT USH 18 – Northview     | Item 33: Airport Maintenance/Snow Removal Equipment Building |
| Item 36: Airport Gate Redesign         | Item 37: Pavement Rehab South T-Hangar and N Ramp            |

### **Discuss and Consider Ordinance 163-O-039: Modify Waukesha County University of Wisconsin Extension Office 2008 Budget to Appropriate Revenues from Horticulture Classes, Workshops, Publication Sales and from Other Reimbursements**

MOTION: Paulson moved, Haukohl second, to approve Ordinance 163-O-039.

Jante said this ordinance authorizes the appropriation of \$27,385 in additional revenues estimated to be received during 2008 including \$14,500 from horticultural classes, workshops and publication sales; and \$12,885 from reimbursements and other revenues contributed to UW-Extension for postage, other materials and supplies and computer maintenance.

Duckwitz said this ordinance will appropriate revenues to the correct budget lines. Jante said they sold more than anticipated. Swan said the department should be commended for having more revenues than expected.

Motion carried 6-0.

**Discuss and Consider Ordinance 163-O-037: Approve the Concept Advanced by Dodge County for Establishing a Non-Stock Corporation**

MOTION: Paulson moved, Haukohl second, to approve Ordinance 163-O-037.

Bodien said we have had clients placed at Clearview Long Term Care and Rehabilitation Center for the past 20 years. We use the facility because it is close in proximity, they do a good job and they take difficult clients. Dodge County spends \$3 million per year to make up the difference between the Title 19 and paid rates. Dodge County is asking counties that use the facility to make up the difference and share the actual cost of services. The ordinance authorizes the Department of Health and Human Services to work with Dodge County and other counties to create a non-stock corporation that will allow contracting with Dodge County for the operation of a leased portion of the facility. It will allow Waukesha County to make necessary placements of it's residents, participate in the decision making process and share in the cost of serving it's clients. The ordinance also authorizes Waukesha County to pay \$5K to Dodge County in 2008 to be used by the non-stock corporation to pay for costs associated with maintenance and operation of the corporation for the near future. Funding for this is available from the contracted services 2008 budget of the Adult Protective Services program in the HHS Long Term Care Fund.

Bodien said Dodge County wants \$5K this year to establish the corporation. The current proposal to lease a portion of the facility and serve clients at the current level of 25 Waukesha County placements is estimated to cost \$456K or approximately \$50 per day. Fifty dollars per day represents the estimated cost per day not reimbursed by Medical Assistance. The estimated fiscal impact will be included in the department's 2009 budget request. It would cost Waukesha County more than a \$1 million if the people are returned to the county if we could find a new place for them. Under the proposal, participating counties have priority for any open beds over nonparticipating counties. Dodge County would have first priority for beds.

Bodien said the cost per client depends on which ward they are in. The costs could be up to \$750 per day.

Schuler said Dodge County could keep running the facility with deficits, run out of money, close the units and center and then there would be competition for beds across the state. The state does not have the capacity and people would be sent further away from home. The next county that provides this service could charge a lot more. People in this facility are court-ordered cases and the county is permanently attached to them for placement. Kutz said it would be different if the residents got to the facility on their own.

Paulson said Waukesha County used to have Northview. Now we do not have it nor do we want it. In order to cooperate with Dodge County we have to buy into their program. We are obligated to join or find another place for these people. Waukesha County has people there who are as comfortable as they

are going to get. Adaptation will be hard if they are moved. It could be a lot more expensive if we do not go this route. This ordinance will allow Waukesha County to start negotiating with Dodge County.

MOTION Paulson moved, Haukohl second, to add the following language to line 55 of the ordinance: "The articles of incorporation shall be approved by the County Board prior to Waukesha County's participation." Motion carried 6-0.

Motion to approve Ordinance 163-O-037 carried 6-0 as amended.

**Discuss and Consider 163-A-052: Appointment of John Pled to the Little and Big Muskego Lake Management Districts**

MOTION: Paulson moved, Schellinger second, to approve Appointment 163-A-052. Motion carried 6-0.

**Discuss and Consider Ordinance 163-O-038: Amend Waukesha County Code of Ordinances to Add Disorderly Conduct with a Motor Vehicle**

MOTION: Paulson moved, Morris second, to approve Ordinance 163-O-038.

Severson said there is not a county ordinance allowing enforcement of unsafe or potentially disruptive acts with a motor vehicle. By adding disorderly conduct with a motor vehicle as a county ordinance violation, the Sheriff's Department will be able to write a civil forfeiture citation addressing these types of activities. The county will retain 100% of the forfeiture amount to support Sheriff's Department activities.

Paulson asked will this ordinance put state language into the county code. Severson said this is new and not an option with the state statutes. The unlawful use of the horn (line 30) is the only component covered by state statutes. Paulson asked if this will stop loud stereos and motorcycle exhaust pipes. Severson said it would be great if that behavior could be changed with an ordinance. This ordinance is akin to other such ordinances adopted in other municipalities and allows the Sheriff's Department to address behaviors not addressed by other disorderly conduct language.

Haukohl said this is a quality of life issue. This type of behavior might go on where many kids hang out. It gives the Sheriff's Department another tool to maintain orderliness in neighborhoods. Meyer voted against this ordinance in Finance because she thought it is too invasive per privacy.

Haukohl asked if this ordinance is a need or a revenue earner? Will the Sheriff consider the revenue from this ordinance similar to speed trap revenue? Severson said the Sheriff was made aware of this type of legislation through professional contacts. Laws exist elsewhere to deal with unsafe, disorderly, improper and unnecessarily abusive behaviors with a motor vehicle. It is a tool that will help law enforcement officers deal with certain issues such as people driving on private property to go around controlled intersections or stop signs or to help school resource officers control behaviors near schools. Severson said as far as finance and revenues are concerned, the Sheriff's Department has a challenge to meet budget targets and provide services. The County Executive asked the department to come up with ways to meet budgets and provide services. This ordinance will add money to the coffers.

Morris asked who determines the decibel levels in order to write a ticket and how would that be defended in court? Severson said it is up to the officer to articulate the charge in his report. He will not be requesting decibel meters. The language is just as ambiguous as the disorderly conduct language.

Swan asked if line 32 should be changed from "travel across property" to "travel across private property?" Severson said he prefers "property."

Motion carried 6-0.

**Committee Reports by Committee Chairs for the Following Meetings:**

September 16, 2008 – Personnel – Schellinger said the committee reviewed the Worker's Compensation Claims report, heard presentations on grant/sunset Positions and a presentation on the Lifestyle & Wellness Program.

August 20, 2008 – Finance – Haukohl said the committee heard six-month reports on investments, collections and claims.

September 3, 2008 – Finance – At this meeting, the committee reviewed the six month report on general funds, annual update on grant/sunset positions, county equalized property values and TIF districts. They also discussed the jail staffing report.

September 11, 2008 – Public Works – Swan said the committee reviewed capital projects and made recommendations on the future of rental property on Northview Road.

September 11, HHS – Paulson said the committee reviewed the Clearview ordinance, amendments to the aging plan and toured vendors.

**Approve Minutes of September 8, 2008**

MOTION: Paulson moved, Swan second, to approve the minutes of the Joint Executive, Finance and Public Works Committees meeting. Motion carried 6-0.

MOTION: Swan moved, Paulson second, to adjourn the meeting at 11:33 a.m. Motion carried 6-0.

Respectfully submitted,

Bonnie J. Morris  
Secretary